

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

JOHN DANIEL FAILS, JR.,

Plaintiff,

vs.

TONY HARBAUGH-SHERIFF, PAT
ROOS-UNDERSHERIFF, MR.
ROLAND-SECURITY SERGEANT, and
KIM JERKE-RN,

Defendants.

CV 17-00120-BLG-SPW-TJC

ORDER

Plaintiff John Fails has filed a Motion for Summary Judgment (Doc. 21).

Local Rule 56.1 requires that:

(a) Any party filing a motion for summary judgment must simultaneously file a Statement of Undisputed Facts. The Statement must:

- (1) set forth in serial form each fact on which the party relies to support the motion;
- (2) pinpoint cite to a specific pleading, deposition, answer to interrogatory, admission or affidavit before the court to support each fact;
- (3) be filed separately from the motion and brief; and
- (4) immediately upon filing of the motion, be e-mailed in a word processing format to each party against whom summary judgment is sought.

Local Rule 56.1(a). Mr. Fails has not filed a Statement of Undisputed Facts in accordance with this rule.

Accordingly, the Court issues the following:

ORDER

Mr. Fails's Motion for Summary Judgment is DENIED WITHOUT PREJUDICE and subject to renewal for failure to file a statement of undisputed facts.

DATED this 20th day of June, 2018.

/s/ Timothy J. Cavan
Timothy J. Cavan
United States Magistrate Judge